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PATENT  
Filed: April 13, 2001

Remarks

Reconsideration of this application is respectfully requested. Formerly pending Claims 1-7, 12-17, 41-47, 52-57, 74-80, and 85-90 have been rejected under 35 U.S.C. §102 as being anticipated by Seki et al., EP 0 872 987, Claims 1-8, 12-18, 41-48, 52-58, 74-81, and 85-91 have been rejected under 35 U.S.C. §103 as being unpatentable over Ellis et al., USPP 2003 0149988 in view of Seki et al., Claims 9-11, 19-21, 49-51, 59-61, 82-84, and 92-94 have been rejected under 35 U.S.C. §103 as being unpatentable over Ellis et al. in view of Seki et al. and further in view of Fries et al., USPN 6,317,885, and Claims 22-40, 62-73, and 95-113 have been rejected under 35 U.S.C. §103 as being unpatentable over Ellis et al. in view of Seki et al. and further in view of Klemets et al., USPN 6,449,653.

New Claims 114-117 have been presented to recite more clearly subject matter in the disclosure that Applicant believes is patentable. The newly claimed subject matter is disclosed throughout the specification, in particular but not exclusively on pages 20-23.

It does not appear that Seki et al. tunes a TV tuner to a channel corresponding to a video-on-demand piece selected from a list presented on a Web browser. Seki et al.'s VOD may be transmitted on a wideband link 19 that is separate from the Internet link, but there is no teaching in Seki et al. that the VOD is transmitted in a specific TV channel of the link, only that it is transmitted to a "channel" that is nothing more than the user's web address.

Additionally, *apropos* Claim 116 it does not appear that the relied-upon height and width of Seki et al. in col. 9, line 45-col. 10, line 1 has anything to do with the video. Instead, it is the dimension used by the applet to present the virtual image when the video is not being played. It appears that Seki et al. does not envision dimensions for the video proper.

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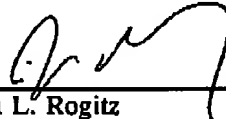
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Among the differences between the present claims and Ellis et al. is that Ellis et al. uses its STB only conventionally, not as claimed. Ellis et al. uses a separate computer to undertake its relied-upon functions, e.g., see paragraph 0108. Further and perhaps more importantly, Ellis et al. does not appear to tune to a TV channel to present VOD selected from a Web browser.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



John L. Rogitz  
Registration No. 33,549  
Attorney of Record  
750 B Street, Suite 3120  
San Diego, CA 92101  
Telephone: (619) 338-8075

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